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# COMMERCIAL MOTOR VEHICLE ENFORCEMENT

## Lesson Plan



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COURSE TITLE: COMMERCIAL MOTOR VEHICLE ENFORCEMENT

BLOCK: 7

DPS ACCREDITATION #:

COURSE LEVEL: 100

INSTRUCTIONAL GOAL: To provide guidance and procedures when violations of commercial motor vehicle regulations are detected and will enable the participant to identify safety violations and take corrective action.

INSTRUCTIONAL OBJECTIVES:

- Identify motor vehicles
- Identify commercial motor vehicles
- Identify other special vehicles
- Describe the characteristics of certain types of vehicles.
- Describe the requirements for Commercial Driver's Licenses.
- Identify offenses relating to the regulation of vehicle width, height, length and weight.
- Objectives
- Define what actions should be taken when violations of regulations are found.
- Compute fines that might be assessed when vehicles are found in violation.
- Identify vehicle equipment standards and inspection requirements. The actions to be taken by the owner or operator.
- Identify violations that might endanger the safe movement and transportation of vehicles.

INSTRUCTIONAL METHODS: CLASSROOM LECTURE  
DISCUSSION  
ROLE PLAY

COURSE DURATION: 1HOURS

SAFETY CONSIDERATION: NONE

EQUIPMENT, PERSONNEL AND SUPPLIES NEEDED:  
COMPUTER, AUDIO AND VISUAL AIDS; WHITEBOARD

TARGET AUDIENCE: NEW MEXICO LAW ENFORCEMENT CADETS AND RECRUITS

COURSE PREREQUISITES: NONE

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INSTRUCTOR CERT.: GENERAL POLICE

INSTRUCTOR RATIO: 1 / 60

EVALUATION STRATEGY: NEW MEXICO LAW ENFORCEMENT CERTIFICATION EXAM

AUTHOR & ORIGATION DATE:

REVISION / REVIEW DATE(S):

REVISED / REVIEWED BY:

COURSE OUTLINE:

■ Safety First

■ Interstate Commercial Vehicles

■ Any vehicle that crosses state lines.

■ GVWR is 10001 lbs or more.

■ Is in furtherance of a commercial enterprise/business.

■ Intrastate Commercial Vehicle

■ Is only operating within the state

■ GVWR is 26001 lbs or greater

■ Is in furtherance of a commercial enterprise/business

■ Commercial Drivers License

■ Class A

■ Class B

■ Class C

■ Class D

■ Class E

■ Class A

■ Vehicle being driven has GVWR of 26001lbs or greater.

■ Vehicle being towed has a GVWR of 10001 lbs or greater.

■ GVWR is either by actual weight or by the weight on the VIN sticker inside the door on the truck and the VIN sticker on the trailer.

■ Class B

■ GVWR on the truck is 26001 lbs or greater.

■ GVWR on the trailer is 10000 lbs or less

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- Go by actual weight or the VIN stickers
  - Class C
  - Hauling a placardable amount of hazardous materials.
  - The vehicle is designed to transport 16 or more passengers including the driver.
  - Class E
  - FOR VEHICLES OVER 26,001 POUNDS OR MORE
  - ARE EXEMPTIONS, NOT LICENSES. THERE IS NO TESTING REQUIRED. THEY ARE VERY LIMITED IN HOW THEY MAY BE USED AND BY WHO. WE ARE AUTHORIZED BY FEDERAL LAW TO OFFER. THESE. THOSE WHO MAY QUALIFY ARE:
  - FARMERS, FIREMEN, RV DRIVERS AS LONG AS THEY ARE NOT PARTICIPATING IN COMMERCE AND MILITARY DRIVERS
  - Class E
  - THOSE WHO MAY QUALIFY ARE:
  - FARMERS, FIREMEN, RV DRIVERS AS LONG AS THEY ARE NOT PARTICIPATING IN COMMERCE AND MILITARY DRIVERS
  
  - Permit Drivers
  - A COMMERCIAL DRIVER'S APPLICANT, HOLDING A COMMERCIAL DRIVER'S PERMIT MAY NOT BE BEHIND THE WHEEL OF A COMMERCIAL VEHICLE UNLESS THERE IS A COMMERCIALY LICENSED DRIVER SITTING IN THE SEAT BESIDE HIM AT ALL TIMES, LICENSED FOR THE VEHICLE BEING DRIVEN. THE COMMERCIAL DRIVER PERMIT HOLDER MUST HAVE IN HIS POSSESSION HIS VALID DRIVERS LICENSE
  
  - Citations
  - ALL CITATION ISSUED TO OUT OF STATE CDL LICENSES DRIVERS ARE RETURNED TO THEIR STATES ELECTRONICALLY. THIS IS A FEDERAL REQUIREMENT. SOME DO GET MAILED. THE VIOLATION WILL GO ONTO THEIR RECORD IN THEIR STATE UNLESS THEIR STATE HAS A LAW THAT SAYS OTHERWISE.
  
  - Points
  - ALL STATES HAVE A "POINT" SYSTEM OF SOME KIND. THEY ARE ALL DIFFERENT. THE VIOLATIONS SELECTED FOR A POINT ASSIGNMENT VARY FROM STATE TO STATE. A VIOLATION HERE THAT HAS BEEN

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ASSIGNED A POINT VALUE MAY NOT BE TREATED THAT WAY IN ANOTHER STATE.

- Points
- ALL THAT GETS RETURNED TO ANOTHER STATE IS THE CITATION ISSUED. HOW AND IF THEY ASSIGN A POINT PENALTY TO THE VIOLATION YOU STOPPED THE DRIVER FOR DEPENDS UPON THEIR LAWS, NOT OURS.
  
- 66-5-59
- Commercial Driver's License Required
- 66-5-59
- Covers driving while license is suspended, revoked, cancelled, or disqualified, or in violation of an out-of-service order (driver or vehicle).
- Endorsements
- The following endorsements are uniform in all 50 states . That is we all give the same test and require the same skills test if required.
- T- doubles and triples
- P- passenger vehicles
- H-vehicle placarded for hazardous materials
- N-tanker-
- in New Mexico we also issue
- X-combination of H and N
- S-school bus- written exam
- W
- Any two or three wheeled motorcycle with an engine piston displacement or more than 100 cubic centimeters
- Y
- Any two or three wheeled motorcycle with an engine of 50 but not more than 100 cubic centimeter piston displacement
- Z
- Any two or three wheeled motorcycle with an automatic transmission and engine of less than 50 cubic centimeter piston displacement.
- Restrictions
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- "B"
- Corrective lenses
- Applies to commercial and non commercial
- C
- Mechanical aids

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- Applies to commercial and non commercial
  - D
  - Prosthetic Aids
  - Applies to commercial and non commercial
  - E
  - Automatic Transmission
  - Commercial Vehicles only
  - F
  - Outside Mirrors
  - Applies to commercial and non commercial
  - G
  - Limit to Daylight Only
  - Applies to commercial and non commercial
  - H
  - Limit to Employment
  - Applies to Non commercial vehicles only
  - I
  - Limit local area only
  - Applies to non commercial vehicles only
  - J
  - Automatic Transmission only
  - Applies to non commercial vehicles only
  - K
  - CDL – Intrastate Only
  - Applies to commercial vehicles only
  - L
  - Vehicles without air brakes
  - Applies to commercial vehicles only
  - M
  - Except class A bus
  - Applies to commercial vehicles only
  - N
  - Except Class A and B bus
  - Applies to commercial vehicles only
  - O
  - Except Tractor Trailer
  - Applies to commercial vehicles only
  - P
  - Interlock system

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- Applies to non commercial vehicles only
  - S
  - Valid for operating a government vehicle only and as a government employee
  - Applies to commercial vehicles only
  - Medical cards are not required for any government employee operating a government vehicle.
  - T
  - Bus Only (Class B)
  - Applies to commercial vehicles only
  - X
  - Medical (6 month permit)
  - Applies to non commercial vehicles only
  - Y
  - Yearly renewal
  - Applies to commercial and non commercial vehicles

## ■ Definitions

- Commercial Motor Vehicle
- A motor vehicle used in commerce.
  - a. If the vehicle has a declared gross vehicle weight rating of twenty-six thousand one or more pounds;
  - b. If the vehicle is designed to transport sixteen or more passengers, including the driver; or
  - c. If the vehicle is transporting hazardous materials and is required to placarded pursuant to applicable law.
- Motor Vehicle
- Every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from batteries or from overhead trolley wires, but not operated upon rails.
- Bus
- Every motor vehicle designed and used for the transportation of persons.
- Truck
- Every motor vehicle designed, used or maintained primarily for the transportation of property.
- School Bus
- Any motor vehicle operating under the authority of the state board of education or private school or parochial school interests that is used to



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transport children, students or teachers to and from schools or to and from any school activity, but not including any vehicle.

- Truck tractor
- A self-propelled commercial motor vehicle designed and/or used primarily for drawing other vehicles.
- Freight Trailer
- Any trailer, semi trailer or pole trailer drawn by a truck tractor or road tractor; and any trailer, semi trailer or pole trailer drawn by a truck that has a gross vehicle weight of more than 26000 lbs, but “freight trailer” does not include manufactured homes, trailers of less than one-ton carrying capacity used to transport animals or fertilizer trailers of less than 3500 lbs empty weight.
- House trailer
- A manufactured home
- Pole Trailer
- Any vehicle without motive power, designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise transporting long or irregularly shaped loads such as poles, structures, pipes and structural members capable, generally of sustaining themselves as beams between the supporting connections.
- Trailer
- Any vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no significant part of its weight rests upon the towing vehicle.
- Semi trailer
- Any vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some significant part of its weight and that of its load rests upon or is carried by another vehicle.
- Combination
- Any connected assemblage of a motor vehicle and one or more semi trailers, trailers or semi trailers converted to trailers by means of a converter gear.
- Converter Gear
- Any assemblage of one or more axles with a fifth wheel mounted thereon, designed for use in a combination to support the front end of a semi trailer but not permanently attached thereto.
- Implement of Husbandry
- Every vehicle that is designed for agricultural purposes and exclusively used by the owner in the conduct of agricultural operations.
- Manufactured Home

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- A moveable or portable housing structure that exceeds either a width of 8'6" or a length of 40', constructed to be towed on its own chassis and designed to be installed with or without a permanent foundation for human occupancy.
  - Vehicle Identification Number
  - The distinctive identification number given by the manufacturer to a specific vehicle.
  - Gross Combination Weight Rating
  - (GCWR) The value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any thereon.
  - Gross Vehicle Weight Rating
  - (GVWR) The value specified by the manufacturer as the loaded weight of a single motor vehicle.
  - Tandem Axle
  - Two or more axles having a wheel base of at least 40" apart and less than 120" apart.
  - Commercial Drivers License
  - (CDL) No person may drive a commercial motor vehicle unless the person holds and is in immediate possession of a commercial driver's license/medical certificate and applicable endorsements valid for the vehicle the person is driving
  - CDL Classifications
  - Commercial driver's licenses may be issued with the classifications A,B, or C. The holder of a valid commercial driver's license may drive all vehicles in the class for which that license is issued and all lesser classes of vehicles except motorcycles and vehicles that require an endorsement unless the proper endorsement appears on the license.
  - Manifest  
(shipping papers/bill of lading)
  - Operators of all commercial vehicles shall fill out and make available a manifest showing the following information:
  - Shipping papers
  - The name of the owner of the vehicle;
  - The name of the operator or driver;
  - The name of the forwarding or other company in whose service the vehicle is licensed;
  - The point of origin of the shipment;
  - The ultimate destination of the shipment

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- The description of the cargo
  - Shipping papers
  - The weight of the cargo or the weight of the truck/trailer and cargo
  - Cargo Securement
  - Each cargo carrying motor vehicle must be equipped with devices providing protection against shifting or falling cargo.
  - Medical Examiner's Certificate
  - A person shall not drive a commercial motor vehicle unless he/she is physically qualified to do so and, has in possession the original, or a photographic copy, of a medical examiner's certificate that he/she is physically qualified to drive a commercial motor vehicle. A medical examiner's certificate is valid for no more than 24 months after the issue date.
  - Log book  
(Record of Duty Status)
  - Every driver of a commercial motor vehicle unless specifically exempted is required to record his duty status for each 24-hour period.
  - Log Book Exemptions
  - Retail store deliveries
  - Has to be engaged solely in making local deliveries from retail stores and/or retail catalog businesses to the ultimate consumer.
  - Has to be within the 100 air mile radius of the driver's work-reporting location
  - ONLY applies from December 10-25 each year.
  - 100 air mile radius
  - Has to operate within 100 air mile radius of the normal work reporting location.
  - Has to return to the work reporting location and is released from work within 12 consecutive hours.
  - Approximately 117 land miles.
  - Interstate commerce only (hauling between states).
  - 150 air mile radius
  - Only applies to vehicles involved in intrastate commerce (hauling within the state of NM ONLY).
  - Approximately 172 land miles.
  - Agricultural Operations
  - Has to be within 100 air mile radius,
  - Is conducted within the harvesting seasons which is determined by the State.
  - Hazmat Shipping Papers
  
  - Equipment: Prohibited Acts  
66-3-801

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- Covers vehicles violating more than 1 statute from 66-3-802 to 66-3-887.
  - Covers violations that 66-3-802 to 66-3-887 do not exactly cover, but is unsafe in your professional opinion.
  
  - 66-3-802
  - When Lighted Lamps are required
  
  - 66-3-803
  - Visibility/ Mounting of lamps
  
  - 66-3-804
  - Headlamps on motor vehicles
  
  - 66-3-805
  - Tail Lamps
  
  - 66-3-807
  - Stop lamps and turn signals required
  
  - 66-3-810
  - Color of clearance lamps, side marker lamps and reflectors
  
  - 66-3-812
  - Lamps and reflectors: Large Semi-trailers, full trailers, and house trailers
  
  - 66-3-814
  - Lamps and reflectors; Pole Trailers
  
  - 66-3-815
  - Lamps and reflectors; Combinations in drive away-tow away operations
  
  - 66-3-816
  - Mounting of reflectors, clearance lamps, and side markers
  
  - 66-3-817
  - Clearance lamps to indicate extreme width, height, and length
  
  - 66-3-821
  - Requirements for headlamps and auxiliary road-lighting lamps

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- 66-3-824
  - Lamp or flag on projecting load
  
  - 66-3-828
  - Signal Lamps and signal devices
  
  - 66-3-840
  - Brakes
  
  - 66-3-843
  - Horns and warning devices
  
  - 66-3-845
  - Mirrors
  
  - 66-3-846
  - Windshields, wipers, windows must be transparent
  
  - 66-3-847
  - Restrictions for tire equipment
  
  - 66-3-849
  - Certain Vehicles to carry flares or other warning devices
  
  - 66-3-852
  - Stopped vehicles not to interfere with other traffic
  
  - 66-3-853
  - Emergency signals; disabled vehicles
  
  - 66-3-854
  - Emergency signals; stopped or parked vehicles
  
  - 66-3-855
  - Emergency signals; flame producing
  
  - 66-3-856
  - Emergency signals; dangerous cargos

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- 66-3-887
  - Slow-moving vehicle identification
  
  - 66-7-372
  - Safety belt use required; exception
  
  - 66-3-901
  - Vehicles without required equipment or in unsafe condition
  - Bondo on side of a fuel tank
  
  - Also has a screw in side of the fuel tank
  - Equipment; Loading; Driving; unsafe practices. 65-3-8
  - B. (2) – restrictions on and eliminations of unsafe practices pertaining to the operation of vehicles. (ALCOHOL)
  - Critical Vehicle Inspection Items
  - Brake Systems
  - Coupling Devices
  - Exhaust System
  - Frame
  - Fuel System
  - Lighting
  - Safe Loading
  - Suspension
  - Steering
  - Tires
  - Van & Open Top Trailer Bodies
  - Wheels & Rims
  - Windshield Wipers
  - Bus Emergency Exit
  - Size and Weight
  - Vehicles that travel the streets, roadways and highways of New Mexico, and do not conform to the width, height, length and weight requirements are required to obtain oversize permits. Oversize permits are issued by the Department of Public Safety, Motor Transportation Division.
  - Load must be reducible
  - A permit will not be issued for reducible loads, loads that can be shifted to make them legal, or loads that can be transferred to other equipment that will make them legal. The disassembling of a load into legal dimension, then moving the load in multiple trucks / trailers may be required.

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- Who/What is subject to OSOW requirements?
  - Vehicles that exceed the following:
  - Irreducible load that exceeds 86,400 lbs
  - Vehicles who's height is greater than 14 ft.
  - Vehicles who's width is greater than 8'6"
  - Overall cab and load length greater than 65'
  - A front overhang greater than 3 ft
  - A rear overhang greater than 7 ft
  - OSOW-farm carriers; excessive size; limitations
  - 66-7-414 Exemptions; Implements of Husbandry

- Escort Vehicles

- OSOW  
66-7-413

- If an OS/OW permit is not obtained for a vehicle that does not conform to these requirements a violation has occurred.

- OSOW  
66-7-413

- It is a misdemeanor for any person to drive or move, or for the owner, lessee, or other person directing the operation to cause or permit to be driven or moved, on any highway any vehicle or vehicles of a size or weight exceeding the limitations state in Sections 66-7-401 through 66-7-416 NMSA 1978.

- Insurance

- The requestor must have proof of adequate insurance coverage. A certificate of insurance, reflecting the following minimum coverage should be kept in the vehicle. A copy of the certificate should also be mailed to the MTD Permit Office.

- Bodily Injury Liability

- \$50,000.00 for each person
- \$100,000.00 for each accident
- Property damage liability
- \$25,000.00 for each accident

- Height  
66-7-404

- Allowed up to 14 feet

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- Any thing above 14 feet needs an OSOW permit (on loads not reducible)
  - Width
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  - 66-7-402
  - Width on all vehicles and loads is 8 feet 6 inches.
  - Anything over 8 feet 6 inches needs an OSOW permit (on loads that are not reducible).
  - Rear Overhang
  - 66-7-406
  - Allowed up to 7 feet without an OSOW permit – anything over 7 feet and is not reducible needs an OSOW permit.
  - Any rear over hang over 3 feet needs to be flagged.
  - Any rear over hang over 4 feet needs to have flags and 3 red identification lamps that are steady burning.
  - Front Overhang
  - 66-7-406
  - Allowed up to 3 feet on front overhang.
  - Anything 3 feet or more needs to have an OSOW permit.
  - Anything 3 feet or more also has to have flags and 3 amber lamps that are steady burning.
  - Exemptions; Implements of Husbandry. 66-7-414
  - Includes farm tractors and trailers (not more than two such farm trailers are towed in tandem)
  - Moved during *daylight* hours **ONLY**
  - Within the county or an adjacent county.
  - Total distance of 50 miles one way
  - Crossing the farm property of the owner, or
  - Running between separate farm property of the owner.
  - Farm Carriers; excessive size; limitation. 66-7-413.1
  - Can transport loads up to 12 ft in width
  - Highways cannot be national network highways
  - Do not need a OSOW permit
  - Load can only consist of **hay** tied in bales over five feet in either length or width and the load is not transported more than 50 miles



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- Have to have signs stating **“WIDE LOAD”**
  - Types of permits
  - Single trip (3 days only)
  - Multiple Trip (Annual one year only)
  - Self issuance permits (Green is for farm carriers, and Pink is for mobile home carriers, 3 days only)
  - Field issued permits (3 days only)
  - Port issued permits ( 3 days only)
  - Cost of Permits
  - Single Trip Permit - \$25.00
  - 1 Year Permit - \$250.00
  - Over weight Permits - 2 ½ cents per ton per mile on weights over 86,400 lbs.
  - Over weight vehicles are good with annual permit for 125 miles one way.

- Load Securement  
66-7-407

- No vehicle shall be driven or moved on any highway unless the vehicle is so constructed, loaded, secured or covered as to prevent any of its load from dropping, sifting, leaking or otherwise escaping, except that sand may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

- Load Securement  
66-7-407

- No person shall operate on any highway any vehicle or combination of vehicles with any load unless the load and any covering thereon are securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

- Weight Enforcement  
66-7-410

- Driver Inspection
- Driver Inspection
- Log Book
- Driver's License (CDL)
- NM Tax I.D. Permit

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- Medical Certificate
  - SSRS
  - Insurance
  - Medical Certificate
  
  - Medical Certificate
  - A person shall not drive a commercial motor vehicle unless he/she is physically qualified to do so and, has in possession the original, or a photographic copy, of a medical examiner's certificate that he/she is physically qualified to drive a commercial motor vehicle. A medical examiner's certificate is valid for no more than 24 months after the issue date.
  - Information certificate has to contain
  - Signature of Medical Examiner
  - Telephone #
  - Date given
  - Medical examiner's name (printed)
  - Type of examiner giving certificate
  - Medical examiner's license or certificate number and issuing state
  - Signature of driver
  - Address of driver
  - D.L. number and State
  - Medical Certificate Expiration Date
  - Medical Certificate
  - Valid for no more than 2 years.
  - Cannot be altered. (If one date is altered and the other is legible, then it is valid. If both dates are altered then it is not a valid card.)
  - Can expire in less than 2 years. (Usually they are valid for no less than 6 months.)
  - Tractor Trailer Combination
  
  - Tractor-bulk tank combination
  
  - Tractor-live stock hauler
  
  - Tractor-double combination
  - Converter dolly
  - Tractor-flat bed combination
  - Used for heavy hauling
  - Straight Truck (box)

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## ■ TRAFFIC STOPS WITH CMV'S

- Passenger side approach
- Is ideal for commercial vehicles due to their width.
- Don't have traffic to your back while walking up to the door of the truck for such a long way.
- You can observe any major equipment violations as you walk up the passenger side.
- Passenger side approach
- Knock on the passenger door staying to the rear of the door and looking in the mirror for the driver and any passengers.
- Open the door to conduct business.
- Do one of two things either conduct business from passenger side or have the driver step out and conduct business outside.
- Passenger side approach
- After done with driver either have him stay outside the vehicle or stay seated in side the truck.
- Walk down the driver's side of the vehicle to observe any major violations (if applicable).
- When done with paperwork have the driver either come back to you or you go to the driver which ever is applicable.
- Passenger side interview with driver seated in driver's seat.
- Step up onto the truck's step to be somewhat level with the driver.
- DO NOT sit in the passenger seat!
- Use the passenger seat as a desk (If no one is seated in the seat).
- Ask driver if there is anyone else in sleeper (if applicable).
- Get paperwork
- Taking driver out of the CMV
- Ask the driver to step out of the vehicle coming out to the passenger side with all necessary paperwork (if applicable).
- Conduct interview and business on passenger side of the vehicle.
- Driver's side approach
- Walk up driver's side being cautious of traffic behind you.
- Observe any major violations.
- Knock on the door staying behind the door.
- Have the driver open the door or you open the door.
- Driver's side approach
- Collect all documentation from the driver.

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- Either have the driver wait outside on the passenger side or in the truck until the completion of the paperwork.
  - Walk down the passenger side of the truck observing any major violations.
  - After completion of the paperwork, have the driver come to you or you go to the driver.
  - Accident Report